

Response to Final Office Action  
dated May 4, 2006



**PATENT**  
Application No. 09/868,379  
Filing Date: 08/15/2001  
Examiner: Michelle Graffeo  
Art Unit: 1614  
Attorney Docket No. H03763 PCT/US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the United States Patent Application of  
Applicants: Christian Kropf,  
Ulrike Brüninghaus,  
Amerigo Pastura,  
Michael Meinders,  
Peter Wülknitz,  
Rolf Hempelmann and  
Marcel Roth

Application Serial No. 09/868,379  
Filing Date: 08/15/2001  
Claiming priority of International Application  
PCT/EP99/09683, filed 12/09/1999  
and German Application  
DE 198 53 662.0, filed 12/18/1998

Examiner: Michelle Graffeo  
Art Unit: 1614

Assignee: Henkel KGaA

Title: **FINE SUSPENSIONS OF POORLY SOLUBLE CALCIUM SALTS  
AND THEIR USE IN DENTAL CARE PRODUCTS**

**Certificate of Mailing Under 37 C.F.R. § 1.8**

I hereby certify that the enclosed Request for Continued Examination with an Amendment and Response To United States Patent and Trademark Office Examiner's Action Under 37 C.F.R. § 1.111 with supporting documents is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope properly addressed to MAIL STOP — RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 5, 2006.

September 5, 2006  
Date

Georgia Peters  
Georgia Peters

**Petition for Extension Under 37 C.F.R. § 1.136(a)**

On May 4, 2006, the United States Patent and Trademark Office issued a Final Office Action. A period of three months was provided for Applicants' Response. Applicants hereby petition for a one-month extension of time from the August 4, 2006, deadline to September 4, 2006, to file their Response Under 37 C.F.R. § 1.111. The extension fee of \$120.00 is included in the check Applicants have enclosed for government fees.

September 5, 2006  
Date

John S. Child, Jr.  
John S. Child, Jr.  
Registration No. 28,833

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**MAIL STOP – RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**Amendment and Response  
To United States Patent and Trademark Office  
Examiner's Action Under 37 C.F.R. § 1.111**

Dear Sir:

**I. Introduction**

Applicants' Amendment and Response is to an United States Patent and Trademark Office ("Office") Examiner's Action ("Action") dated May 4, 2006. In the Action, the Examiner set a shortened statutory period for Applicants' reply of three months, *i.e.*, to August 4, 2006. Applicants have requested a one-month extension of time to reply to the Action, *i.e.*, to September 4, 2006. September 4, 2006, is Labor Day, a federal holiday. Accordingly, Applicants' Amendment and Response is timely under 37 C.F.R. § 1.7 as it is being filed on September 5, 2006, with a Certificate of Mailing Under 37 C.F.R. §1.8.

The Action is a Final Action. Accordingly, Applicants also submit a Request for Continued Examination with the fee set forth in 37 C.F.R. § 1.17(e). Under 37 C.F.R. § 1.114(d), "If an applicant timely files a submission and fee set forth in Section 1.17(e), the Office will withdraw the finality of any Office Action and the submission will be entered and considered." For that reason, Applicants' Amendment and Response is captioned as being under 37 C.F.R. § 1.111.